

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA

CITY OF HUGO, an Oklahoma municipality;
HUGO MUNICIPAL AUTHORITY, an Oklahoma
Public Water Trust for the benefit of the City
of Hugo, Oklahoma,

Plaintiffs,

CITY OF IRVING, TEXAS

Intervenor Plaintiff

vs.

Case No. 08-303-JTM

JESS MARK NICHOLS; RUDOLPH JOHN
HERRMANN; ED FITE; FORD DRUMMOND;
JACK W. KEELEY; KENNETH W. KNOWLES;
LINDA LAMBERT; LONNIE FARMER; RICHARD
SEVENOAKS, in their official capacity as
members of the Oklahoma Water Resources
Board and the Oklahoma Water Conservation
Storage Commission,

Defendants.

ORDER

This matter comes before the court on remand from the Tenth Circuit. *See City of Hugo v. Nichols*, —F.3d—, 2011 WL 3906360 (10th Cir. 2011). Pursuant to the Tenth Circuit's Mandate (Dkt. No. 140), this court dismisses the action against defendants for lack of federal jurisdiction.

IT IS ACCORDINGLY ORDERED this 17th day of October 2011.

s/J. Thomas Marten
J. THOMAS MARTEN, JUDGE